

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

JIREH LLC,

Plaintiff,

vs.

NOVUS FRANCHISING INC.,

Defendant.

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No. 4:07CV00442 SWW

ORDER

Before the Court is plaintiff's motion to strike and dismiss defendant's Notice of Removal on the basis that the Notice was not filed in a timely manner pursuant to 28 U.S.C. §§ 1446(a) and (b). Defendant agrees the Notice was untimely filed, and states the motion to strike is unnecessary and the court should simply close its file in this matter because the case is proceeding in state court.

The Court interprets plaintiff's motion as a motion to remand. The motion [docket entry 3] is granted. The Court hereby remands the case to the Pulaski County Circuit Court.

DATED this 30th day of May 2007.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE